

HEATHER E. WILLIAMS, SBN 122664
Federal Defender
HOOTAN BAIGMOHAMMADI, SBN 279105
Assistant Federal Defender
Designated Counsel for Service
801 I Street, Third Floor
Sacramento, CA 95814
T: (916) 498-5700
F: (916) 498-5710

Attorneys for Defendant
Mr. Garcia

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,)	Case No. 2:23CR228-DJC
Plaintiff,)	
)	STIPULATION AND ORDER TO CONTINUE
vs.)	STATUS CONFERENCE
)	
EDGAR ENRIQUE GARCIA-)	Date: January 25, 2024
LOPEZ,)	Time: 9:00 a.m.
)	Judge: Daniel J. Calabretta
<u>Defendant.</u>)	

IT IS HEREBY STIPULATED and agreed by and between United States Attorney Phillip A. Talbert, through Assistant United States Attorney Alstyn Bennett, counsel for Plaintiff, and Federal Defender Heather Williams, through Assistant Federal Defender Hootan Baigmohammadi, counsel for Defendant Edgar Enrique Garcia-Lopez, that the previously scheduled Status Hearing set for March 14, 2024 be continued to March 28, 2024 at 9:00 a.m.

The parties specifically stipulate as follows:

1. The government filed an indictment on September 14, 2024. ECF no. 15.
2. By previous order, the Status Conference is currently scheduled for March 14, 2024 at 9:00 a.m. Mr. Garcia had indicated that he planned to plead guilty on March 14, 2024 and would withdraw his Motion for Reconsideration thereafter. ECF no. 42. Time has been ordered excluded through that date.

3. The government has produced 596 pages and 82 audio/video recordings of discovery.
4. Mr. Garcia respectfully requests that the Court continue the Status Conference to March 28, 2024 at 9:00 a.m. He needs additional time resolve a few issues pertaining to his anticipated guilty plea.
5. Mr. Garcia believes that failure to grant his motion would deny him the reasonable time necessary for effective preparation, taking into account the exercise of due diligence.
6. The government does not object to Mr. Garcia's motion.
7. For the purpose of computing time under 18 U.S.C. § 3161 *et seq.* (Speedy Trial Act), the parties request that the time period between March 14, 2024 and March 28, 2024, inclusive, be deemed excludable pursuant to 18 U.S.C. § 3161(h)(7)(B)(iv) (Local Code T4), because it would result from a continuance granted by the Court at the defense's request, based on a finding that the ends of justice served by granting the continuance outweighs the best interest of the public and Mr. Garcia in a speedy trial.

Respectfully submitted,

HEATHER E. WILLIAMS
Federal Defender

Date: March 13, 2024

/s/ Hootan Baigmohammadi
HOOTAN BAIGMOHAMMADI
Assistant Federal Defender
Attorneys for Defendant
Mr. Garcia

Date: March 13, 2024

PHILLIP A. TALBERT
United States Attorney

/s/ Alstyn Bennett
ALSTYN BENNETT
Assistant United States Attorney
Attorneys for Plaintiff

ORDER

The Court, having received and considered the parties' stipulation, and good cause appearing therefrom, adopts the parties' stipulation in its entirety as its order.

IT IS SO ORDERED.

Dated: March 13, 2024

/s/ Daniel J. Calabretta

THE HONORABLE DANIEL J. CALABRETTA
UNITED STATES DISTRICT JUDGE